

20003587

POSSESSION POINT EST PRD 11

V.1 PRD P. 95

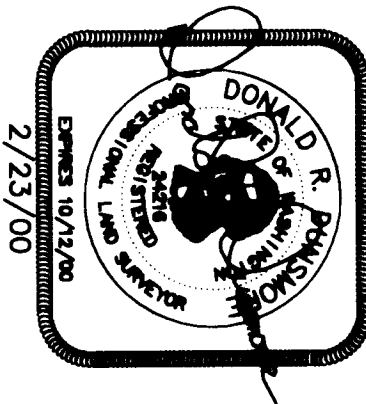
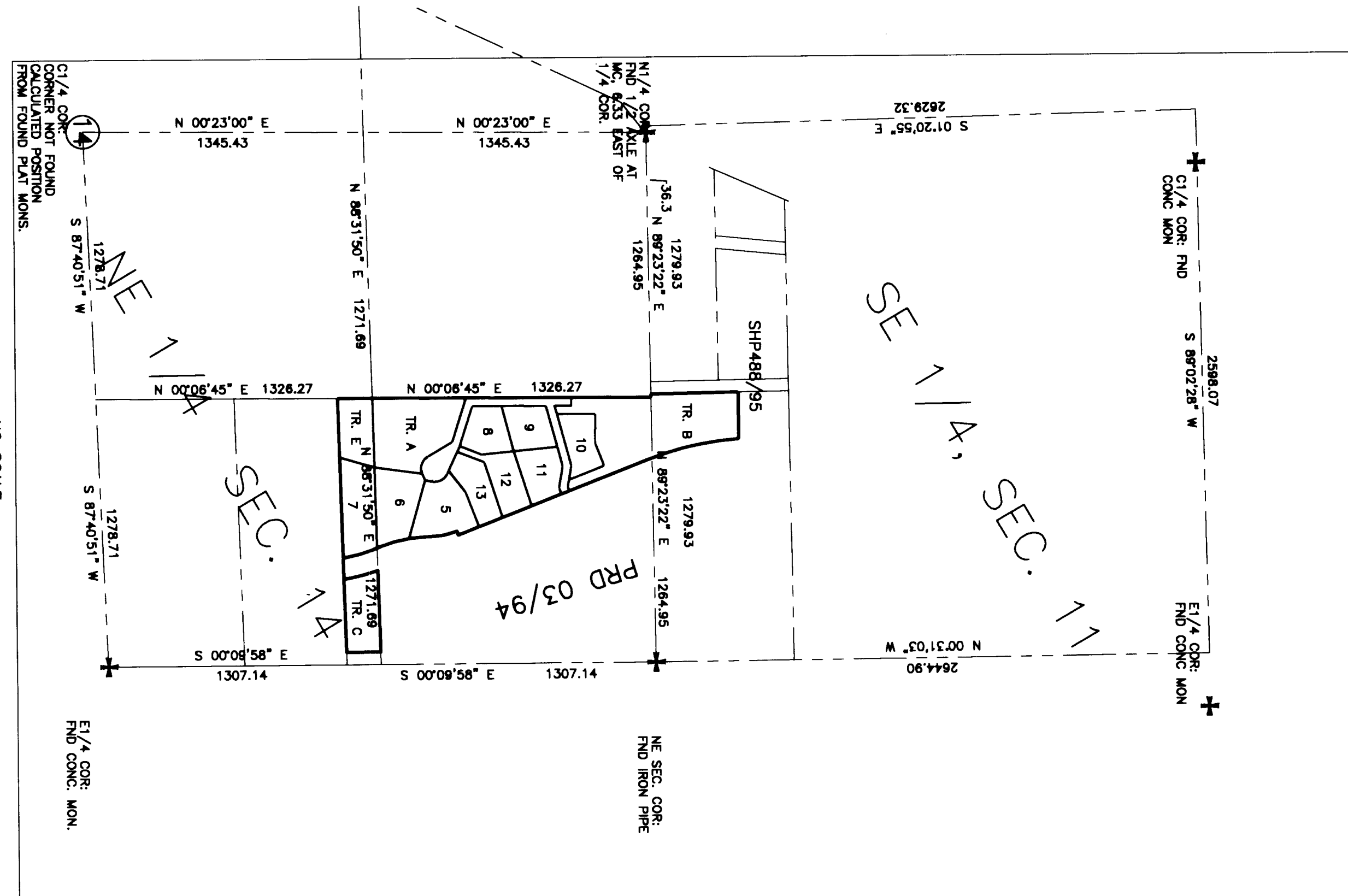
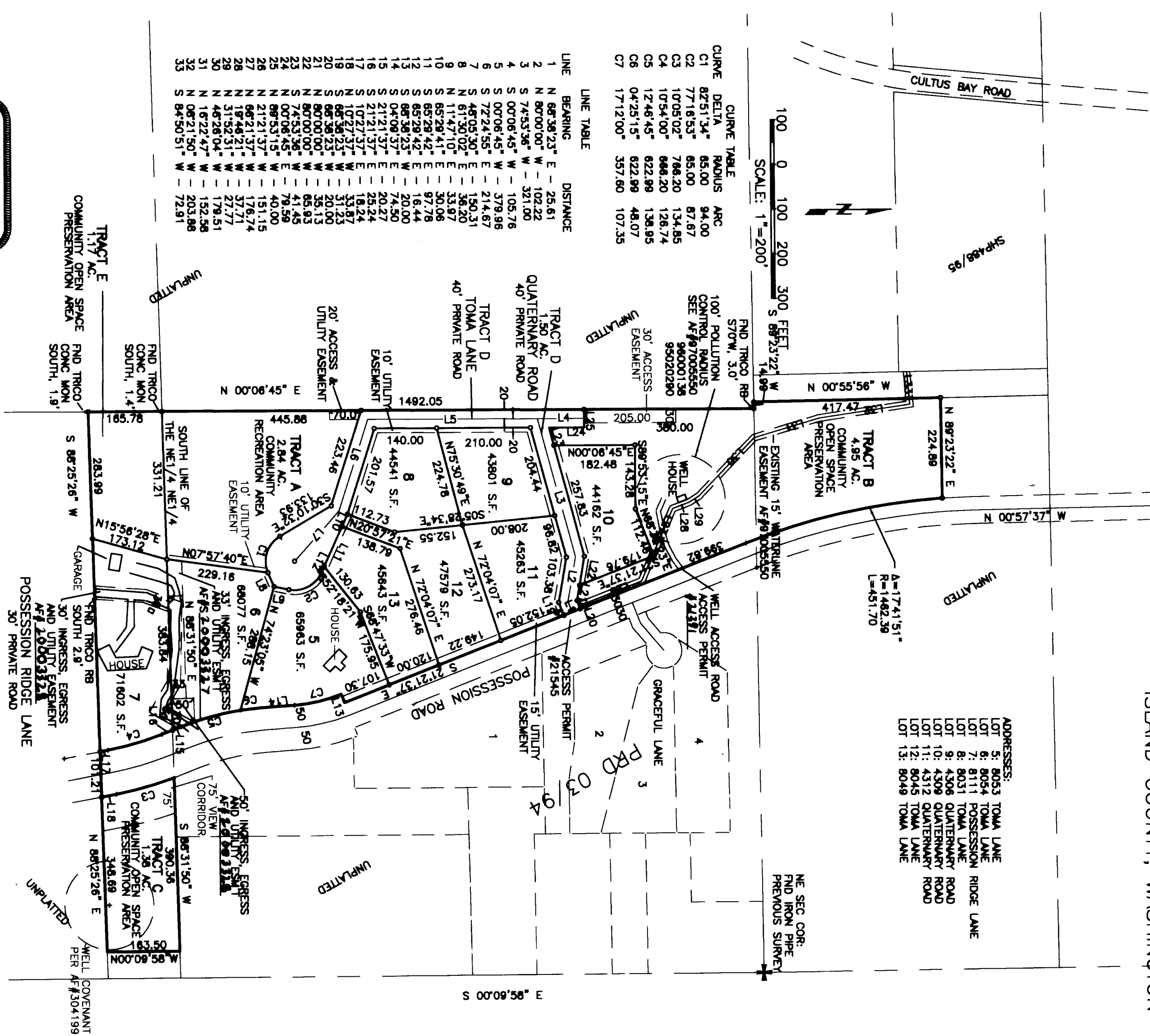
182

3347017

PRD 140/96 R32814-400-4860 R32814-504-4440

POSSESSION POINT ESTATES II PRD 140/96

A PORTION OF THE NE 1/4 OF SECTION 14 & OF THE SE 1/4 OF SECTION 11, T.28N., R.3E.W.M.
ISLAND COUNTY, WASHINGTON



- NOTES**
- DENOTES 1/2" REBAR MARKED "DUNSMORE LS 24216"
 - SET THIS SURVEY
 - DENOTES FOUND 1/2" REBAR
 - DENOTES FOUND MONUMENT AS NOTED.
 - BASIS OF BEARING: EAST LINE OF NE 1/4 OF SECTION 14 PER ROS BOOK 7, PAGE 208.
 - EQUIPMENT USED: TOPCON GTS 303
 - METHOD OF SURVEY: FIELD TRAVERSE

PRD 140/96 FOR: TERRY SWANSON
A PORTION OF THE NE 1/4 SECTION 14 & OF THE SE 1/4 OF SECTION 11, TOWNSHIP 28 NORTH, RANGE 3 EAST, W.M.
ISLAND COUNTY
WASHINGTON

DUNSMORE AND ASSOCIATES
901 GRACE ST. P.O. Box 1403 Coupeville, WA 98239 (360) 678-3459

SCALE 1"=200'
JOB NO. 1167

3347017

PRD 140/96, R32814-400-4860
R32814-504-4440

POSSESSION POINT ESTATES II PRD 140/96

A PORTION OF THE NE 1/4 OF SECTION 14 & THE SE 1/4 OF SECTION 11, TOWNSHIP 28 NORTH, RANGE 3 EAST, W.M.
ISLAND COUNTY, WASHINGTON

LEGAL DESCRIPTION

PARCEL A: THAT PORTION OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER AND THAT PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 28 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, LING WESTLY OF THE COUNTY ROAD KNOWN AS POSSESSION ROAD;

ALSO, THAT PORTION OF THE SOUTH 417.47 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 28 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, LING WESTLY OF THE COUNTY ROAD KNOWN AS POSSESSION ROAD.

(ALSO KNOWN AS NEW LOT A OF BOUNDARY LINE ADJUSTMENT, RECORDED APRIL 30, 1998, AND RECORDED FEBRUARY 28, 1999, UNDER AUDITOR'S FILE NO. 98010478, BEING RE-RECORDING OF AUDITOR'S FILE NO. 98010478, RECORDS OF ISLAND COUNTY, WASHINGTON.)

PARCEL B: THE NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER IN SECTION 14, TOWNSHIP 28 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, EXCEPT PORTIONS FOR COUNTY ROADS DESCRIBED IN INSTRUMENT RECORDED JANUARY 4, 1998, UNDER AUDITOR'S FILE NO. 48203, RECORDS OF ISLAND COUNTY, WASHINGTON.

ALL SITUATED IN ISLAND COUNTY, WASHINGTON.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT WE, THE UNDERSIGNED OWNERS, IN FEE SIMPLE OF THE LAND HEREIN DESCRIBED, HEREBY DECLARE THIS PLANNED RESIDENTIAL DEVELOPMENT AND DEDICATE TO THE USE OF THE OWNERS OF THE PTD, AREAS IDENTIFIED HEREON AS TRACTS A, B, C & D, ARE HEREBY CONVEYED TO THE OWNERS OF THE LOTS IN THIS PLANNED RESIDENTIAL DEVELOPMENT AS REFERENCED WITHIN THE COVENANTS, CONDITIONS AND RESTRICTIONS REFERENCED HEREIN. ALSO THE RIGHT TO MAKE USE OF WATER, WHETHER MUTUALLY OWNED PROPERTY THAT IS SHOWN ON THIS PRD, ALSO THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUT AND FILLS UPON THE LOTS, TRACTS, ETC., SHOWN ON THE PRD IN THE REASONABLE ORIGINAL GRADING OF THE ROADS SHOWN HEREON. ALSO, THE RIGHT TO DRAIN SAID PUBLIC COURSE AFTER THE ROADS ARE GRADED, GRANTED HEREBY IS A WAIVER OF ALL CLAIMS FOR DAMAGES AGAINST ISLAND COUNTY WHICH MAY BE OCCASIONED TO THE ADJACENT LAND WITHIN THE PRD BY THE ESTABLISHED CONSTRUCTION, DRAINAGE AND MAINTENANCE OF SAID PRIVATE AND PUBLIC ROADS. ALL UTILITY SYSTEMS SHALL BE UNDERGROUND.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS AND SEALS.

RESTRICTIONS

1. DIRECT VEHICULAR ACCESS TO POSSESSION ROAD IS RESTRICTED TO THE EASEMENTS SHOWN HEREON.
2. NO BLOCKING, DIVERTING OR OTHER ALTERATION OF EXISTING NATURAL, OR APPROVED MAN-MADE DRAINAGE WAYS IS PERMITTED WITHOUT THE PRIOR APPROVAL OF THE ISLAND COUNTY ENGINEERING DEPARTMENT.
3. ALL LOTS IN THIS PLAT ARE SUBJECT TO AND SHALL BE SOLD SUBJECT TO THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS RECORDED UNDER AUDITOR'S FILE NOS. 98018408, 98024445 & 20003353.
4. THIS PRD IS LIMITED TO NINE BUILDABLE LOTS. NO FURTHER SUBDIVISION OF ANY OF THE LOTS IS PERMITTED.
5. ALL UTILITIES SHALL BE INSTALLED UNDERGROUND. INSTALLATION OF UTILITIES MAY NOT CAUSE THE REMOVAL OF ANY TREES FROM THE OPEN SPACE PRESERVATION TRACTS.
6. TRACT A IS A COMMUNITY RECREATION AREA FOR USE OF ALL OWNERS OF ALL LOTS WITHIN THE PRD. THE TYPE OF RECREATION FACILITIES WILL BE DETERMINED BY THE HOMEOWNERS ASSOCIATION AFTER FIVE LOTS ARE SOLD TO NEW OWNERS. A DETAILED PLAN FOR THE RECREATION FACILITIES MUST BE SUBMITTED TO ISLAND COUNTY COMMUNITY DEVELOPMENT PRIOR TO INSTALLATION. THE FACILITIES MUST BE COMPATIBLE WITH THE PROJECT AND SURROUNDING PROPERTIES.
7. TRACT B IS A COMMUNITY OPEN SPACE PRESERVATION AREA AND MUST REMAIN IN AN UNDISTURBED, NATURAL STATE. NO TREES MAY BE TOPPED OR LIMBED, ONLY DEAD OR DYING TREES MAY BE REMOVED. ALL GROUND VEGETATION SHALL BE PRESERVED. VEHICULAR ACCESS IS LIMITED TO WHAT IS NECESSARY TO MAINTAIN THE WATER SYSTEM. NO STRUCTURES OR OTHER VEHICULAR ACCESS ARE PERMITTED.
8. TRACT C IS A COMMUNITY OPEN SPACE PRESERVATION AREA AND MUST REMAIN IN AN UNDISTURBED, NATURAL STATE. EXCEPT FOR THE WESTERLY 75 FEET WHICH MAY BE USED FOR VIEW CORRIDOR PURPOSES, IN THIS WESTERLY 75 FEET, ONLY ALDER TREES MAY BE CLEARED FOR VIEW CORRIDOR AND ALL CONIFERS MUST BE PRESERVED BUT CAN BE LIMBED AS LONG AS GREATER THAN 50% OF THE CROWN IS PRESERVED. THE SWANUM WATER SYSTEM IS EXPANDING TO SERVE THE POSSESSION POINT BEACH COMMUNITY (PROPERTY GROUNDED IN POSSESSION POINT ESTATES PRD PROPERTY). WHILE THE PROPOSED EASEMENT FOR THE ABOVE RIGHT TO USE PORTION OF THE BEACH LOCATED NORTH OF TRACT C, THE SWANUM WATER SYSTEM RESERVES THE MAINTENANCE ON THE PRD 140/96 PROPERTY IN SUCH AN INSTANCE, ANY TREES WHICH WILL BE REMOVED FOR THE CONSTRUCTION OF THE SAND WATER LINE, CONIFER SPECIES MUST BE REMOVED UNLESS THEY ARE LEANING OR SUSCEPTIBLE TO WIND FALL OVER THE EXPOSED WATER LINE.
9. TRACT E IS A COMMUNITY OPEN SPACE PRESERVATION AREA AND MUST REMAIN IN AN UNDISTURBED NATURAL STATE WITHIN THE PRESERVATION AREA. NO TREES MAY BE TOPPED OR LIMBED, ONLY DEAD OR DYING TREES MAY BE REMOVED. NOXIOUS WEEDS (E.G., RUSSIAN THISTLE, HIMALAYAN BLACKBERRIES) MAY BE REPLACED WITH NATIVE GROUND COVER SPECIES (I.E., SNAKE, HUCKLEBERRY).
10. BEFORE THE PRIVATE ROAD, TRACT D, MAY BE USED TO ACCESS ANY PARCELS OUTSIDE THE PRD, THE PROPOSAL MUST BE SUBMITTED TO ISLAND COUNTY PUBLIC WORKS FOR REVIEW. THE USE OF THE ROAD MAY BE APPROVED ONLY IF IT SHALL COMPLY WITH ALL CONDITIONS AND RESTRICTIONS WHICH MAY BE ESPECIALLY REQUIRED FOR THE ACCESS. NO OUTSIDE PARCEL MAY BE ACCESSED THROUGH ANY AREA DESIGNATED AS A COMMUNITY OPEN SPACE PRESERVATION TRACT, EXCEPT ON THE EASEMENTS SHOWN HEREON.

NOTES

ISLAND COUNTY HAS NO RESPONSIBILITY TO IMPROVE OR MAINTAIN THE PRIVATE ROADS CONTAINED WITHIN OR PRIVATE ROADS PROVIDING ACCESS TO THE PROPERTY DESCRIBED IN THIS DEVELOPMENT.

APPROVAL OF THIS PLAT DOES NOT GUARANTEE THE ISSUANCE OF ON-SITE SEWAGE DISPOSAL PERMITS NOR THE AVAILABILITY OF PORTABLE WATER.

ALL FUTURE USE OF THE PROPERTY MUST BE IN CONFORMANCE WITH THE BOLD EAGLE MANAGEMENT PLAN AS SPECIFIED IN THE COVENANTS, CONDITIONS AND RESTRICTIONS FOR THIS PLANNED RESIDENTIAL DEVELOPMENT.

EASEMENT PROVISIONS

A NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL UTILITIES SERVING SUBJECT PRD AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER TRACT D, THE FRONT 10 FEET OF ALL LOTS FRONTING ON TRACT D, THE EASTERLY 10 FEET OF TRACT A, AND THE FRONT 15 FEET OF LOTS 11, 12, 13 AND 14 OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 28 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, IN WHICH TO INSTALL, LAY, CONSTRUCT, REPAIR, OPERATE AND MAINTAIN UNDERGROUND PIPES, CONDUITS, CABLE, WIRES AND VALVES WITH NECESSARY UNDERGROUND AND/OR GROUND MOUNTED FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THE PRD AND OTHER PROPERTY WITH WATER, ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES FOR THE PURPOSES STATED.

THE SWANUM WATER SYSTEM IS EXPANDING TO SERVE THE POSSESSION POINT BEACH COMMUNITY (PROPERTY WITHIN POSSESSION POINT ESTATES PRD PROPERTY). WHILE THE PROPOSED EASEMENT FOR THE SWANUM WATER SYSTEM, HEREIN, WILL BE LIMITED TO LOCATED NORTH OF TRACT C, THE SWANUM WATER SYSTEM RESERVES THE RIGHT TO USE A PORTION OF TRACT C AS AN EASEMENT TO CONNECT THE BEACH PROPERTY OWNERS TO THE MAINLINE ON THE PRD 140/96 PROPERTY.

BUILDING SETBACKS AND HEIGHTS RESTRICTIONS

TO PROTECT VIEWS, DRAINAGE SITES AND RESIDENTIAL PRIVACY OF ALL LOTS THE FOLLOWING BUILDING SETBACKS AND HEIGHT RESTRICTIONS SHALL BE ESTABLISHED FOR THE PRD OF POSSESSION POINT ESTATES II. THESE SETBACKS AND HEIGHT RESTRICTIONS EXTEND BELOW (I.E., BASEMENTS) AND ABOVE (I.E., ROOF OVERHANGS) GROUND LEVEL. NO STRUCTURES SHALL BE CONSTRUCTED WITHIN THE EASTERLY 40 FEET AND WEST OF THE EASTERLY 170 FEET OF LOTS 5, 11, 12 AND 13. NO STRUCTURES SHALL BE CONSTRUCTED WITHIN THE EASTERLY 40 FEET AND WEST OF THE EASTERLY 200 FEET OF LOT 8. NO STRUCTURES SHALL BE CONSTRUCTED WITHIN THE LOT B STRUCTURES CONSTRUCTED ON LOT B CANNOT EXCEED 22 FEET IN HEIGHT ABOVE THE HIGHEST POINT OF GROUND SURFACE WITHIN THE BUILDING ENVELOPE. ALL STRUCTURES MUST BE CONSTRUCTED AT LEAST 10 FEET WITHIN THE PRD LINES FOR LOTS 5, 9, 11, 12 AND 13. ALL STRUCTURES ON ALL LOTS WITHIN THE PRD LINES BE CONSTRUCTED AT LEAST 30 FEET FROM THE PRIVATE ROAD EASEMENT OF TRACT D.

RESERVATION

TRACTS A, B, C, & E IDENTIFIED HEREIN AS COMMUNITY OPEN SPACE ARE EACH RESERVED AND PERMANENTLY COMMITTED AS OPEN SPACE AND LEFT IN AN UNDISTURBED NATURAL STATE OR MAINTAINED AS SPECIFIED IN THE COVENANTS, CONDITIONS AND RESTRICTIONS. RECREATIONAL USE OF THE COMMUNITY AREAS IS LIMITED AS SPECIFIED IN THE COVENANTS, CONDITIONS AND RESTRICTIONS AS REFERENCED HEREIN. TREES IN THESE AREAS MAY ONLY BE REMOVED FOR DEAD OR DYING. VEHICULAR ACCESS TO TRACT B IS LIMITED TO ACCESS TO MAINTAIN THE WATER SYSTEM.

APPROVALS

THIS PLANNED RESIDENTIAL DEVELOPMENT CONFORMS TO THE REQUIREMENTS OF THE PLANNED RESIDENTIAL DEVELOPMENT THAT WERE ESTABLISHED BY CHAPTER 16.17 ISLAND COUNTY CODE PRIOR TO DECEMBER 1, 1998, AND IS HEREBY APPROVED THIS 28 DAY OF February, 2000.

Clay Dunsmore
LARRY DUNSMORE, DIRECTOR

David Rogers
LEW LEGAT, ISLAND COUNTY ENGINEER

THIS PLANNED RESIDENTIAL DEVELOPMENT CONFORMS TO THE REQUIREMENTS OF THE PLANNED RESIDENTIAL DEVELOPMENT THAT WERE ESTABLISHED BY CHAPTER 16.17 ISLAND COUNTY CODE PRIOR TO DECEMBER 1, 1998 AND IS HEREBY APPROVED BY THE BOARD OF ISLAND COUNTY COMMISSIONERS THIS 28 DAY OF Feb, 2000.

Mike Shelton
MIKE SHELTON, COMMISSIONER

Wm. L. McDowell
WM. L. McDOWELL, COMMISSIONER CHAIRMAN

William F. Thoren
WILLIAM F. THORN, COMMISSIONER

Mark Rosenkrantz
MARK ROSENKRANTZ, CLERK OF THE BOARD

TREASURER'S CERTIFICATE

ALL TAXES LEVIED WHICH HAVE BECOME A LIEN UPON THE LANDS HEREIN DESCRIBED HAVE BEEN FULLY PAID AND DISCHARGED ACCORDING TO THE RECORDS OF ANY OFFICE, INCLUDING TAXES FOR THE CURRENT YEAR 2000.

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF ISLAND COUNTY AND THE WASHINGTON STATE SURVEY RECORDING ACT IN THE MONTH OF AUG., 1998.

William F. Thoren
WILLIAM F. THORN, CLERK OF THE BOARD

ISLAND COUNTY ENGINEER'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF ISLAND COUNTY AND THE WASHINGTON STATE SURVEY RECORDING ACT IN THE MONTH OF AUG., 1998.

Donald R. Dunsmore P.L.S.
DONALD R. DUNSMORE P.L.S.

WASHINGTON CERTIFICATE NO. 24216
2/23/00

ACKNOWLEDGMENT

STATE OF WASHINGTON)
COUNTY OF ISLAND)
THIS IS TO CERTIFY THAT ON THIS 24TH DAY OF February, 2000, BEFORE ME THE UNDERSIGNED, APPEARED *Terry Thoren Swanson* TO ME KNOWN TO BE THE INDIVIDUAL(S) DESCRIBED IN AND WHO EXECUTED THIS INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY SIGNED AND SEALED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES MENTIONED HEREIN.

Marie Hardy
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT *Clinton*
MY COMMISSION EXPIRES 11-1-01

ACKNOWLEDGMENT

STATE OF WASHINGTON)
COUNTY OF ISLAND)
THIS IS TO CERTIFY THAT ON THIS 24TH DAY OF February, 2000, BEFORE ME THE UNDERSIGNED, APPEARED *James B. Thoren* TO ME KNOWN TO BE THE INDIVIDUAL(S) DESCRIBED IN AND WHO EXECUTED THIS INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY SIGNED AND SEALED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES MENTIONED HEREIN.

Marie Hardy
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT *Clinton*
MY COMMISSION EXPIRES 11-1-01

ACKNOWLEDGMENT

STATE OF WASHINGTON)
COUNTY OF ISLAND)
THIS IS TO CERTIFY THAT ON THIS 24TH DAY OF Feb, 2000, BEFORE ME THE UNDERSIGNED, APPEARED *Macdonald E. Renner* TO ME KNOWN TO BE THE INDIVIDUAL(S) DESCRIBED IN AND WHO EXECUTED THIS INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY SIGNED AND SEALED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES MENTIONED HEREIN.

Marie Hardy
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT *Clinton*
MY COMMISSION EXPIRES 12-15-2000

ACKNOWLEDGMENT

STATE OF WASHINGTON)
COUNTY OF ISLAND)
THIS IS TO CERTIFY THAT ON THIS 24TH DAY OF Feb, 2000, BEFORE ME THE UNDERSIGNED, APPEARED *Susan M. McIntosh* TO ME KNOWN TO BE THE INDIVIDUAL(S) DESCRIBED IN AND WHO EXECUTED THIS INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY SIGNED AND SEALED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES MENTIONED HEREIN.

Marie Hardy
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT *Clinton*
MY COMMISSION EXPIRES 12-15-2000

DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS

AUDITOR'S FILE NO. 20003353, RECORDS OF ISLAND COUNTY, WASHINGTON, RECORDED Feb. 25, 2000, IN VOLUME 808, PAGE 2257 UNDER

CERTIFICATE OF TITLE

AUDITOR'S FILE NO. 20003353, RECORDS OF ISLAND COUNTY, WASHINGTON, RECORDED Feb. 25, 2000, IN VOLUME 809, PAGE 120, UNDER

RECORDING CERTIFICATE

FILED FOR RECORD THIS 28TH DAY OF February, 2000, AT 3:54 PM IN VOL. 1 OF PRD'S, AT PAGES 98194, UNDER AUDITOR'S FILE NO. 20003353, RECORDS OF ISLAND COUNTY, WASHINGTON, AT THE REQUEST OF ISLAND COUNTY.

Deanna Dunsmore
Deanna Dunsmore, Clerk

FOR: TERRY SWANSON

PRD 140/96
A PORTION OF THE NE 1/4 OF SECTION 14 & OF THE SE 1/4 OF SECTION 11, TOWNSHIP 28 NORTH, RANGE 3 EAST, W.M.
ISLAND COUNTY

DUNSMORE AND ASSOCIATES
901 GRACE ST. P.O. Box 1403 Coupeville, WA. 98239 (360) 678-3459